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CULTURAL ANTHROPOLOGY

Openings and Retrospectives

REFLECTIONS ON THE ANTHROPOLOGY OF SOVEREIGNTY AND SETTLER COLONIALISM: Lessons from Native North America

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Any consideration of what sovereignty has come to mean in Native North America, as a conceptual framework that names a particular kind of lived indigenous experience, has to be understood within the context of settler colonialism. Yet anthropology has been slow to take up settler colonialism as a key analytic, even though the discipline has long been engaged with understanding different types of colonial orders. This hesitation results in a missed opportunity for anthropologists to learn from scholars working in indigenous studies. Sovereignty and settler colonialism are frequently expressed as entwined critical frameworks that center indigenous perspectives. Each has merits when considered on its own, but taken together, they offer greater theoretical insights about the nature of political authority, ones widely applicable beyond the confines of Indian Country. In this brief essay, I outline some of the key conversations regarding sovereignty happening in Native North America, specifically within cultural anthropology, indigenous studies, and other related fields, paying particular attention to those that have proven highly productive for scholars working in the region and that

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hold the greatest promise for advancing intellectual debates in the discipline as a whole.

In addressing Native North America, or what is sometimes called *Indian Country*, I am referring specifically to scholarly debates by and about indigenous peoples subject to the authority of the U.S. and Canadian states. Obviously, Mexico forms a significant part of North America proper, but the discourse surrounding indigenous rights in Mexico is somewhat different, with claims to political self-determination often asserted in terms of *autonomía* and much less frequently in terms of sovereignty. Autonomy and sovereignty have many similarities—a focus on self-governance or the right of indigenous peoples to maintain their unique forms of social, political, and cultural integrity, among other things—but these frameworks also differ significantly in their assumptions regarding territorial authority and statehood, differences that need careful parsing but lie beyond the scope of this essay.

Sovereignty has emerged as a key discursive framework for indigenous self-determination in both the United States and Canada, in part because of the shared experiences of British colonialism and its successor states, and what is now a largely Anglophone context that facilitates intellectual exchanges among indigenous actors across the region. The shared idiom of sovereignty is a specific discursive response to living under conditions of settler colonialism, a concept that has gained immense traction among indigenous intellectuals since the late 1990s. Settler colonialism names many things, but among them it highlights ongoing attempts at political erasure while also refusing the idea that North American nation-states are in any sense *post*colonial societies. Although many scholars have taken settler colonialism to refer to a specifically Western European form of imperialist expansion featuring permanent settlement that took place in the creation of Canada, the United States, Australia, and New Zealand, the concept actually emerged in the Israel-Palestine context and can be applied to a variety of geopolitical settings.[1]

The Australian historian Patrick Wolfe's (1999, 2006) highly influential work argues that settler colonialism differs from franchise colonialism in several ways. First, the primary natural resource extracted under settler colonialism is indigenous land, a practice that leads to a second key distinction, what Wolfe (1999, 27) refers to as "the logic of elimination." Although indigenous people have at times been used as a labor pool during the process of land expropriation, often their labor is eventually replaced with that of other populations, such as South Asian indentured laborers in the case of Guyana or African chattel slaves

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in the case of the United States. This replacement serves the goals of the new settler society, because the logical assumption is that the ongoing existence of indigenous peoples threatens the new social order: hence, to avoid them making an alternative claim to the land and their own political authority over it, they must be made to disappear. This process of elimination might occur via outright genocide, forced removal, or different forms of coercive cultural, social, and political assimilation. A third key difference that Wolfe notes is that settlers claim indigenous lands as their own, with the intention of staying and building a new society. Thus settler colonialism cannot be relegated to the past as something with only residual effects; rather, we need to understand it as an ongoing structure of oppression in which settlers actively maintain their rights to occupy indigenous territories in the present. Scholars working in settler-colonial societies recognize that this oppressive relationship, as with other forms of colonialism, becomes justified via racialization, so that indigenous individuals and their collective polities are made to seem inferior to Western European ones and thus to have less legitimate political claims (e.g., Kauanui 2008; Klopotek 2011; Povinelli 2002).

For scholars working in Native North America, settler-colonial theory becomes especially productive when placed in conversation with Giorgio Agamben's (1998, 2005) ideas on state sovereignty. Agamben argues that modern state societies enact a particularly insidious form of sovereign violence by creating a state of exception, one that gives them the power to kill or make live and allows them to strip certain human beings of their political significance, reducing them to bare life and making them subject to state-sanctioned biological death. Agamben's ideas have had wide influence across various disciplines in the social sciences and humanities, including anthropology, particularly among scholars seeking to understand forms of state violence that are justified in the name of national sovereignty. His theory of sovereign power proves useful for understanding the genocidal regimes of, say, Nazi Germany, as well as those that have been experienced by indigenous peoples. In fact, his idea that modern expressions of state sovereignty create forms of bare life subject to extermination dovetails nicely with the logic of elimination in settler-colonial theory, a point noted by Scott Morgensen (2011a) in his thought-provoking article on this topic, which constitutes a major contribution to cultural anthropology.

Yet genocide is just one expression of the much broader eliminatory logic that characterizes settler societies, and in considering the specific context of indigenous experience, Agamben's ideas of sovereignty are challenged and pushed by indigenous studies in potentially more fruitful directions. For example, the

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literary scholar Ewa Płonowska Ziarek (2008, 89–90) has noted that Agamben's concept of bare life, meaning the potential for the state to kill the minimized and liminal form of life that remains, at least as described in Agamben's original formulation, remains insufficient for understanding other forms of sovereign violence. The concept takes us only so far, because it reduces the social and political distinctions that once characterized human subjects, such as race, gender, class and sexuality—even though these differences are often the very grounds by which modern populations are targeted for bare life in the modern exercise of biopower. We can extend this list to include indigeneity as well, understood here not merely as a distinct racial, social, or cultural identity, but rather as an explicitly political subjectivity tied to the experience of living in the shadow of settler colonialism with an everyday sense of ongoing territorial invasion and dispossession (Rifkin 2009).[2]

By maintaining these distinctions in our analyses of modern forms of biopower and following their through line, if you will, we are able to recognize not only how such distinctions are used to target particular kinds of human beings for bare life but also how they condition other forms of sovereign violence, such as sexual violence in the case of gender, slavery in the case of race, and settler colonialism in the case of indigeneity (Simpson 2011).[3] With indigeneity and settler colonialism as added lenses, we see that policies intent on social and political death, such as assimilation, missionization, relocation, allotment, termination, and even political incorporation via citizenship, were all designed to eliminate indigenous assertions of sovereignty over the land. And because political authority over a land base marks what is at stake in settler-colonial conflicts, scholars working in Native North America have been quick to add that sovereign violence in the context of settler colonialism exceeds biopower. As such, Agamben's theories of the biopolitical are inadequate unless placed in conversation with geopolitical concerns (Rifkin 2009; Simpson 2011, 2014).

Settler colonialism offers other correctives about sovereignty not yet widely taken up within anthropology. For instance, settler colonialism insists on the need to acknowledge different forms of colonialism, including the specific version that characterizes Native North America, and provides a framework by which we can understand how different colonialisms have led to multiple and competing forms of sovereignty that are messy and incomplete (Bruyneel 2007; Moreton-Robinson 2007; Rosen 2007). This fact becomes obvious in the context of U.S. federalism, where the federal government, states, and tribes all assert different forms of sovereignty and vie for political authority over the same land base. Jessica Cat-

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telino's (2008) book *High Stakes: Florida Seminole Gaming and Sovereignty* provides an excellent case for understanding how these competing assertions of sovereignty play out on the ground. She offers two important interventions. The first moves us beyond classical debates about sovereignty that view it as either *autonomous* and *inherent* (a by-product of peoplehood or kingly authority, for instance) or *derivative* and *dependent* (as something that stems from external political recognition by other sovereigns).[4] Instead, she explores *interdependent* forms of sovereignty that are negotiated, partial, insecure, and demand diplomacy on all sides.[5] In her second major contribution, Cattelino explores how the circulation of capital is a sovereign force in and of itself, one that provides a key to how sovereignty functions in these more interdependent forms. She provides a neo-Simmelian analysis of the ways in which Florida Seminoles exploit the fungibility of casino money, meaning its ability to be exchanged with other forms of symbolic and material capital, in ways that help shore up their own political authority and well-being as a community.[6]

The upshot of this body of work in Native North America is that the state power generated by colonialism, in any of its forms, remains highly insecure and not a privileged site of sovereign authority. In fact, state sovereignty as a repressive force generates various forms of resistance to that sovereignty, including a whole slew of countersovereignties that exceed its more legal, formal, authorized, recognized, and official versions (see Cramer 2005; Klopotek 2011; Povinelli 2002; Miller 2003). Anthropologists working around the world have expended a great deal of energy analyzing different cases in which state sovereignty is challenged, though often these examples focus on extralegal, criminal, and violent forms of resistance (Hansen and Stepputat 2006, 304–6). Indigenous studies adds to this discussion an attention to the everyday forms of sovereignty generated in response to settler state authority.

Elizabeth Povinelli's (2006) work on self-sovereignty offers an important example, one in which she explores how intimacy is linked to modern notions of freedom and social order, becoming yet another space for everyday expressions of lived sovereignty—a point also taken up in the work of Mark Rifkin (2011, 2012) and Scott Morgensen (2011b). Yet the most pathbreaking research to come along in recent years that explores extra-state forms of sovereignty is that of Audra Simpson (2014) in her book *Mohawk Interruptus: Life across the Borders of Settler States*. Simpson takes on the concept of *resistance* and offers instead the idea of *refusal*. Theories of resistance tend to focus attention on how aspects of domination get reproduced by those doing the resisting, meaning that in countering

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oppression, the terms of debate and terrain of conflict are already predetermined—thus the idea that counterhegemony retains a kernel of hegemony, heterodoxy that of orthodoxy, violence begets more violence, and so on. Simpson's theory of refusal offers something else entirely: refusal is neither derivative nor reproductive, but rather an outright rejection of the externally imposed logics of settler-state sovereignty. In other words, the logic of elimination is met with the logic of indigenous continuity, and border crossings that demand settler-state passports are met with tribally generated documents that insist on Mohawk nationhood. Refusal is affective, material, historical, ideal, and even pleasurable—an act possibly more ontological than anything else of indigenous people insisting on their own unique way of being.

Simpson's work has much to offer anthropologists working in other contexts, particularly those who want to rethink theories of power. As I have been arguing throughout this essay, such insights stem in part from a critical engagement with twined critiques of sovereignty and settler colonialism. These two analytical frameworks offer anthropology important correctives for thinking about indigenous people and their experiences. A case in point is the recent controversy surrounding the Massachusetts senator Elizabeth Warren's claims to Cherokee and Lenape ancestry, and how it reveals a particularly strong tendency in the United States and Canada to minoritize indigeneity and take what should be debates about sovereignty, citizenship, political authority, and territorial jurisdiction, among other issues, and turn instead to questions of racial and cultural authenticity, or even genetic descent (Franke-Ruta 2012; Krieg 2016).[7] The controversy involves, on the one hand, Senator Warren, born and raised in Oklahoma, who has claimed an indigenous identity for several decades, based almost exclusively on family stories of descent from a Cherokee great-grandmother. On the other hand are members of the Republican Party, who have accused Warren of both fanciful invention and racial opportunism, and then took the opportunity to ridicule her during public debates with Hollywood war whoops, tomahawk chops, and derogatory taunts. Lost in the controversy is any attention to American Indian identity as a political status, one that rests on tribal sovereignty and the fundamental premise that tribes have the sovereign right to determine their own citizenry. Lost, too, is attention to the way in which racism and white supremacy undergird settler colonialism and are both being manifested not only in the racist behavior of Warren's Republican opponents but also in her narratives of indigenous decent, for these, too, are often linked to a settler desire to incorporate and domesticate indigeneity (Sturm 2011).

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In bringing up the Warren example, I am trying to draw attention to how the tendency to minoritize indigeneity elides critical differences between indigenous peoples and other minority groups (Kauanui 2008, 636, 641–42). The obsessive concern with Warren's ancestry, phenotype, and DNA distorts the fact that the only thing that really matters is if her tribal community claims her or her family—for this type of mutual recognition constitutes the very instantiation of tribal sovereignty in the face of settler colonialism. American Indians might ask Warren a very different set of questions, such as who is your family, where are they from, and are they recognized by a tribal government or community, even if informally? They might also want to know how Warren practices sovereignty in her everyday life by maintaining community ties, evincing her own indigenous identity, or supporting indigenous rights. These are the kinds of questions that should be asked, and that the general public might be more willing to ask, if anthropologists were leading the way by engaging more fully with the groundbreaking work on sovereignty and settler colonialism coming out of Indian Country.

NOTES

1. For more on this topic, see J. Kēhaulani Kauanui's (2016) critical genealogy of settler-colonial theory.
2. Race, culture, and other social categories of identity do condition indigeneity, but they do not define it. Indigeneity is an explicitly political status that is recognized by the United Nations, indigenous governments, and federal Indian law. Most scholars working in Native North America are quick to foreground the political basis of indigenous status, because other aspects of identity, particularly race and culture, have often been used in the political arena to delegitimize indigenous rights claims.
3. Race is a more general category here, but I wish to note that in the case of chattel slavery, the category of blackness has unique historical valences. So, although we can acknowledge that other categories of people were also enslaved, including indigenous people, the experience of chattel slavery is not equivalent to these other forms of enslavement, and it is more productive to keep different processes of racialization in conversation when challenging the white supremacy that undergirds both slavery and settler colonialism.
4. For an excellent overview of sovereignty, particularly as it has developed over time and come to be employed by indigenous people in the United States, see the introductory chapter to Joanne Barker's (2005) edited volume *Sovereignty Matters*.
5. Jean Dennison (2012) takes these arguments a step further in her recent book on Osage constitutional reform by showing how indigenous expressions of sovereignty are often entangled with settler society and its expectations regarding indigeneity.
6. Courtney Lewis (2012) makes a similar point about negotiated sovereignty, based on her ethnography of tribal businesses among the Eastern Band of Cherokee Indians in North Carolina.
7. For a useful counter to these mainstream media sources, made from a Cherokee perspective, see Steve Russell's (2012) commentary on the Elizabeth Warren controversy in *Indian Country Today*.

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